

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

BEFORE: JAMES M. WICKS, U.S. MAGISTRATE JUDGE

DATE: 11/9/2023

TIME: 12:30 PM

SEALED PROCEEDING

CIVIL CAUSE FOR MOTION HEARING

CASE: 2:23-cv-06188-JMW-Superb Motors Inc. et al. v. Deo et al.

APPEARANCES:

For Plaintiffs (Superb Motors Inc, Team Auto Sales LLC and Robert Anthony Urrutia):
Emanuel Kataev

For Plaintiffs (189 Sunrise Hwy Auto LLC, Northshore Motor Leasing, LLC, Brian Chabrier, Joshua Aaronson, Jory Baron, 1581 Hyland Blvd Auto LLC, 1580 Hylan Blvd Auto LLC, 1591 Hylan Blvd Auto LLC, 1632 Hyland Blvd Auto LLC, 1239 Hylan Blvd Auto LLC, 2519 Hyland Blvd Auto LLC, 76 Fisk Street Realty LLC, 446 Route 23 Auto LLC and Island Auto Management, LLC):
Russell J. Shanks

For Defendants (Anthony Deo, Sarah Deo, Harry Thomasson, Dwight Blankenship, Marc Merckling, Michael Laurie, Car Buyers NYC Inc., Gold Coast Cars of Syosset LLC, Gold Coast Cars of Sunrise LLC, Gold Coast Motors Automotive Group LLC, Gold Coast Motors of LIC LLC, Gold Coast Motors of Roslyn LLC, Gold Coast Motors of Smithtown LLC and UEA Premier Motors Corp.):
Harry R. Thomasson, Jr.

For Defendants (Jones, Little & Co., CPA's LLP): Peter Seiden

For Defendants (Flushing Bank): Ariel R. Ronneburger

For Defendant (Libertas Funding LLC): No Appearance

Court Reporter/FTR: 12:36-1:33 (FTR)

THE FOLLOWING RULINGS WERE MADE:

Motion Hearing/Oral Argument/Oral Ruling held regarding Letter Motion for Leave to File Document in accordance with the Court's October 17, 2023 Order (ECF No. [72]); Letter Motion for Contempt (ECF No. [79]) and Motion to Disqualify Counsel (ECF No. [85]).

- Parties' arguments were heard.
- Motion for Leave to File Document in accordance with the Court's October 17, 2023 Order (ECF No. 72) is denied without prejudice with leave to renew. The relief sought seeks to modify, not clarify that which was ordered at ECF No. 55. Accordingly, to the extent the parties seek additional preliminary injunctive relief or modification of the existing order, a motion for such modification may be filed.
- The Court reserves decision on the Letter Motion for Contempt (ECF No. 79) and for disqualification (ECF No. 85).
- Defendants are directed to move the six (6) "Injuncted Deo Vehicles" identified in the Preliminary Injunction Order (ECF No. 55) to an independent licensed and insured vehicle storage facility on Long Island **on or before 5pm Tuesday, November 14, 2023**. Those six vehicles are:
 - 2023 Chevrolet Suburban with a VIN # ending in "8675";
 - 2020 Mercedes-Benz GLE with a VIN # ending in "4078";
 - 2019 Land Rover Range Rover with a VIN # ending in "3297";
 - 2017 Rolls Royce with a VIN # ending in "2728";
 - 2016 Audi A6 with a VIN # ending in "9650"; and
 - 2016 Audi Q5 with a VIN # ending in 0272.

(ECF No. [55] at 29). Defendants' counsel shall file on ECF proof of storage of same with the Court. Defendants are to bear all expenses related to said storage, and the six Injuncted Deo Vehicles are *not* to be used or driven.

- The parties are also directed to file letter briefs to supplement the parties' positions on the Motion to Disqualify Counsel (ECF No. [85]), particularly regarding the three cases identified on the record at Oral Argument on or before **November 20, 2023**.

THE PARTIES ARE REMINDED that audio or video recording of proceedings by any party other than the Court is strictly prohibited by Local Civil Rule 1.8. Violation of this rule may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed appropriate by the Court.

SO ORDERED
/s/ James M. Wicks
JAMES M. WICKS
United States Magistrate Judge